

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

CORNELIUS L. HARRIS,	:	Case No. 1:20-cv-120
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
WARDEN ERDOS, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORTS AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (Docs. 49, 61)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and has submitted two Reports and Recommendations for the undersigned's consideration.

On May 7, 2020, the Magistrate Judge submitted a Report and Recommendation. (Doc. 49). There, the Magistrate Judge recommended denying Plaintiff's motion for preliminary injunction and temporary restraining order. (Doc. 46). No objections were filed, and the time for filing objections has since expired. On August 24, 2021, the Magistrate Judge submitted another Report and Recommendation, recommending that Defendants' motion to dismiss be granted. (Doc. 61). No objections were filed, and the time for filing objections has since expired.

The Court has reviewed the Reports and Recommendations, is satisfied that there is nothing clearly erroneous or contrary to law on the face of the record, and accepts the Magistrate Judge's recommendations. Fed. R. Civ. P. 72.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge, and the Court has also considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court finds that the Reports and Recommendations should be and are hereby adopted in their entirety.

Accordingly, for these reasons:

1. The Reports and Recommendations (Docs. 49, 61) are hereby **ADOPTED**.
2. Plaintiff's motion for preliminary injunction and temporary restraining order (Doc. 46) is **DENIED**.
3. Defendants' motion to dismiss (Doc. 43) is **GRANTED**.
4. The remaining claims – Plaintiffs claims against Defendants Taylor and John Doe Officers 1-5 for denying Plaintiff recreation, and against Defendants Justice, Gleim, and John Doe Officers 6-9 for denying Plaintiff recreation and/or showers – are **DISMISSED**.
5. Plaintiff's sixth motion to amend the complaint (Doc. 59) is **DENIED**.
6. The Court **CERTIFIES** that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith, and therefore **DENIES** leave to appeal *in forma pauperis*.
7. The Clerk shall enter judgment accordingly and this action is **TERMINATED** upon the docket of this Court.

IT IS SO ORDERED.

Date: 9/15/2021

s/Timothy S. Black
Timothy S. Black
United States District Judge